

SEN. SETH BONGARTZ, VICE CHAIR
SEN. SCOTT BECK
SEN. ROBERT PLUNKETT
SEN. DAVID WEEKS



REP. TREVOR SQUIRRELL, CHAIR
REP. MARK HIGLEY
REP. CAROL ODE
REP. LARRY SATCOWITZ

STATE OF VERMONT

Legislative Committee on Administrative Rules (LCAR)

ADMINISTRATIVE RULES

MINUTES

May 21, 2026

The Joint Legislative Committee on Administrative Rules met on Thursday, May 21, 2026, beginning at 8:00 a.m. in Room 10 of the State House Building in Montpelier, Vermont.

The following members were present:

Sen. Seth Bongartz, Vice Chair
Sen. Scott Beck
Sen. Robert Plunkett
Sen. David Weeks

Rep. Trevor Squirrell, Chair
Rep. Mark Higley
Rep. Carol Ode
Rep. Larry Satcowitz

Staff present:

Bradley Showman
Lindsey Schreier

Committee Counsel
Committee Assistant

Approval of Prior Minutes

On motion of Sen. Weeks, the Committee approved the May 14, 2026, minutes.

Review of Rules

The Committee reviewed the following rules:

25-P040 - Vermont Wetland Rules. This rule is continued from the April 30, May 7, and May 14 meetings.

Per Chair Squirrell's request, Bradley Showman, Legislative Counsel for the Office of Legislative Counsel, presented a memo explaining the basis of a potential objection to the rule. The memo outlines three potential grounds for objection: (1) that the Vermont Wetland Rules are contrary to legislative intent because they result in a net loss of wetland acreage, (2) that categorically halving the buffer in Class II wetlands exceeds statutory authority, and (3) that reliance on Vermont Significant Wetlands Inventory maps is arbitrary.

This rule amendment updates the Vermont Wetland Rules to support and accelerate housing development in designated growth areas and incorporates additional wetland protections required pursuant to 2024 Acts and Resolves No. 121. This amendment would permit the construction of residential housing in unmapped Class II wetlands and at least 25 feet from mapped Class II wetlands. This amendment also removes the reconsideration process for denied permits as a step before seeking appeal.

On motion of Sen. Bongartz, the Committee voted 5-3-0 to object to Rule 25-P040 for the reasons outlined in the memo dated May 21, 2026.

25-P045 - Vermont Use of Public Waters Rules. Amy McLaughlin, Steve Sease, Lauren Woodard-Splatt, Chip Stone, Emily Doe, Phil Dodd, Eric Splatt, and Gary Kupferer, all concerned citizens, testified on the rule. Pat Suozzi, President, Federation of Vermont Lakes and Ponds, and Sen. Brian Collamore also testified on the rule.

This rule amendment is continued from the May 14 meeting. This rule amendment proposes to clarify procedures for the State to delegate authority to a municipality to regulate the use of public waters and to establish a process for emergency temporary use restrictions and clarifies enforcement of aquatic invasive species transport and decontamination requirements. This amendment prohibits wakesports within 500 feet of an individual in the water or another vessel. This amendment also modifies wakesports provisions by removing the “home lake” rule, prohibiting wakesports within 500 feet of loon nesting sites, and requiring wakesports zones to meet new configuration standards. This amendment reduces the number of wakesports-eligible lakes from 30 to 18.

On motion of Rep. Ode, the Committee voted 5-3-0 to approve the rule.

Adjournment and Next Meeting

The Committee adjourned at 9:05 a.m.

The next meeting of the Committee is scheduled for May 28, 2026, beginning at 8:00 a.m. in Room 10 of the State House Building in Montpelier, Vermont.

Respectfully submitted,

Bradley Showman
Committee Counsel

cc: APA Clerk, Secretary of State
ICAR, Agency of Administration